

**City of Sunnyvale**  
**Program Performance Budget**

**Program 751 - Comprehensive Legal Services**

**Program Performance Statement**

To provide the City Council, City Manager and City Departments with professional, timely and cost-effective legal advice and representation on all matters involving municipal, state and federal law affecting the City of Sunnyvale. Provide pro-active counseling to the City Council and City Departments to minimize legal problems and liability whenever possible, and provide aggressive and effective litigation of matters when appropriate with a positive outcome for the City.

**Notes**

1. Beginning in FY 2006/2007, all outside legal services are consolidated in the Office of the City Attorney for administration and supervision.

# City of Sunnyvale

## Program Performance Budget

### Program 751 - Comprehensive Legal Services

#### Program Measures

#### Quality

	Priority	2006/2007 Adopted	2007/2008 Current
* Provide timely and thorough legal advice to City Manager and City departments. <b>- Legal Advice Provided by Established Due Date</b>	C	90.00%	90.00%
* An internal customer satisfaction rating for City Attorney responsiveness and quality of advice is achieved. <b>- Rating of Good or Excellent</b>	I	95.00%	95.00%
* Litigation and administrative hearings handled with acceptable results for City in light of facts and liability exposure. <b>- Percent within Range of Acceptable Results</b>	I	80.00%	80.00%
- Total Number of Cases Resolved		5.00	5.00

#### Productivity

* City Attorney-initiated amendments to City ordinances or procedures to comply with changes to law are completed in a timely manner. <b>- Completed by Established Due Date</b>	M	90.00%	90.00%
- Number of Amendments		4.00	4.00
* Response to council/board/commission requests for legal advice and/or opinions related to City business and their official capacities provided in a timely manner. <b>- Response by Established Due Dates</b>	C	95.00%	95.00%
- Number of Responses		50.00	50.00
* Attendance at Council/Board/Commission meetings and providing legal advice and support. <b>- Number of Council/Board Meetings Attended</b>	C	50.00	50.00
* The Office of the City Attorney shall complete the employee performance evaluation process for each full-time and regular part-time staff member supervised, and submit the evaluation to Human Resources in accordance with established procedures and timeframes. <b>- Percent of Evaluations Submitted to Human Resources by the Scheduled Submittal Date</b>	C	95.00%	95.00%
- Total Number of Evaluations for which the Department is Responsible		5.00	5.00

#### Cost Effectiveness

* The Office of the City Attorney works to prevent future worker's compensation claims by providing a planned number of training sessions that address the top three causes of worker's compensation injuries for department employees. <b>- Number of Training Sessions Completed</b>	I	1.00	1.00
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**City of Sunnyvale  
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**Program 751 - Comprehensive Legal Services**

**Program Measures**

**Financial**

\* Actual total expenditures for Comprehensive Legal Services will not exceed planned program expenditures.

**- Total Program Expenditures**

<b>Priority</b>	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
C	\$1,776,572.00	\$1,652,581.00

**Priority Legend**

M: Mandatory  
C: Council Highest Priority  
I: Important  
D: Desirable

**City of Sunnyvale**  
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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75101 - Provide Legal Advice - Written and Oral**

To provide legal advice, opinions and document review in support of the Council and City Departments, including:

- Advice and opinions to Council, Boards and Commissions on matters related to City business and their official capacities,
- Attend all Council and Commission meetings and provide advice as required,
- Advice and document drafting/review to all City Departments, and
- Initiate and draft revisions to city ordinances and regulations to comply with changes in state and federal law.

**Notes**

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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75101 - Provide Legal Advice - Written and Oral**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751000 - Respond to Council/Board/Commission Requests for Legal Advice</b>		
Product: A Response (Written or Oral) Completed		
Costs:	\$63,744	\$70,490
Products:	50	50
Work Hours:	470	470
Product Cost:	\$1,274.88	\$1,409.80
Work Hours/Product:	9.40	9.40
<b>Activity 751010 - Initiate and Draft Revisions to City Ordinances and Regulations to Comply with State and Federal Law or to Update Ordinances</b>		
Product: A Revision of Ordinance or Regulation Completed		
Costs:	\$30,638	\$33,612
Products:	4	4
Work Hours:	235	235
Product Cost:	\$7,659.43	\$8,402.89
Work Hours/Product:	58.75	58.75
<b>Activity 751020 - Prepare for and Attend Council/Board/Commission Meeting</b>		
Product: A Council/Board/Commission Meeting Attended		
Costs:	\$67,879	\$75,487
Products:	75	75
Work Hours:	500	500
Product Cost:	\$905.05	\$1,006.49
Work Hours/Product:	6.67	6.67

**City of Sunnyvale  
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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75101 - Provide Legal Advice - Written and Oral**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751160, 751161, 751162 - Provide Legal Advice and Document Drafting/Review for City Departments</b>		
Product: A Response (Written or Oral) Completed		
Costs:	\$424,886	\$460,526
Products:	750	750
Work Hours:	3,510	3,510
Product Cost:	\$566.51	\$614.03
Work Hours/Product:	4.68	4.68
<b>Activity 751170 - Provide Responses to Citizen Inquiries, As Appropriate</b>		
Product: A Response to Citizen Inquiry Completed		
Costs:	\$5,410	\$6,005
Products:	10	10
Work Hours:	40	40
Product Cost:	\$541.01	\$600.50
Work Hours/Product:	4.00	4.00
<b>Activity 751180 - Provide Legal Advice and Representation for Redevelopment Agency Issues</b>		
Product: A Response (Written or Oral) Completed		
Costs:	\$10,750	\$12,038
Products:	10	10
Work Hours:	75	75
Product Cost:	\$1,074.95	\$1,203.78
Work Hours/Product:	7.50	7.50
<b>Totals for Service Delivery Plan 75101 - Provide Legal Advice - Written and Oral</b>		
<b>Costs:</b>	<b>\$603,307</b>	<b>\$658,157</b>
<b>Hours:</b>	<b>4,830</b>	<b>4,830</b>

**City of Sunnyvale**  
**Program Performance Budget**

**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters**

Provide professional, cost-effective and successful representation for the City of Sunnyvale and its departments in the areas of code enforcement, litigation (including tort, employment, civil rights and land use), and administrative matters (Personnel Board, PUC, labor arbitrations, other administrative proceedings and outside legal services).

Provide direction and oversight on all outside legal services to ensure cost efficiency and quality of implementation.

**Notes**

1. The budget for the Redevelopment Agency (RDA) legal services is included in special project 824570 Outside Counsel Services for RDA.

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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751060 - Representation of City In Litigated Matters (Non-Code Enforcement) - Including Discovery, Trial, Motions and Appellate Matters</b>		
Product: A Litigation Case Opened		
Costs:	\$115,865	\$122,739
Products:	25	25
Work Hours:	600	600
Product Cost:	\$4,634.60	\$4,909.56
Work Hours/Product:	24.00	24.00
<b>Activity 751070, 751071, 751072 - Representation of City In Administrative Proceedings</b>		
Product: An Administrative Case Opened		
Costs:	\$69,255	\$75,256
Products:	32	32
Work Hours:	565	565
Product Cost:	\$2,164.23	\$2,351.75
Work Hours/Product:	17.66	17.66
<b>Activity 751190 - Provide Legal Advice and Representation for Municipal Code Enforcement Activities</b>		
Product: A Code Enforcement Matter/Complaint Resolved		
Costs:	\$38,861	\$41,644
Products:	55	55
Work Hours:	350	350
Product Cost:	\$706.56	\$757.17
Work Hours/Product:	6.36	6.36

**City of Sunnyvale**  
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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751200 - Manage and Direct Outside Counsel Services In Litigation and Administrative Matters</b>		
Product: A Case		
Costs:	\$420,704	\$209,469
Products:	20	20
Work Hours:	75	75
Product Cost:	\$21,035.22	\$10,473.44
Work Hours/Product:	3.75	3.75
<b>Activity 751400 - Manage and Direct Outside Counsel Services - Redevelopment Agency</b>		
Product: A Contract Administered		
Costs:	\$2,283	\$2,601
Products:	1	1
Work Hours:	15	15
Product Cost:	\$2,282.66	\$2,601.42
Work Hours/Product:	15.00	15.00
<b>Activity 751410 - Manage and Direct Outside Counsel Services - Personnel</b>		
Product: A Contract Administered		
Costs:	\$29,942	\$30,154
Products:	1	1
Work Hours:	10	10
Product Cost:	\$29,941.78	\$30,154.28
Work Hours/Product:	10.00	10.00

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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751420 - Manage and Direct Outside Counsel Services - City Liability and Property Administration</b>		
Product: A Contract Administered		
Costs:	\$122,980	\$123,532
Products:	1	1
Work Hours:	50	50
Product Cost:	\$122,979.89	\$123,532.02
Work Hours/Product:	50.00	50.00
<b>Activity 751430 - Manage and Direct Outside Counsel Services - Wastewater Treatment</b>		
Product: A Contract Administered		
Costs:	\$27,900	\$28,096
Products:	1	1
Work Hours:	15	15
Product Cost:	\$27,899.63	\$28,096.18
Work Hours/Product:	15.00	15.00
<b>Activity 751440 - Manage and Direct Outside Counsel Services - Solid Waste Treatment</b>		
Product: A Contract Administered		
Costs:	\$3,032	\$3,229
Products:	1	1
Work Hours:	15	15
Product Cost:	\$3,032.13	\$3,228.68
Work Hours/Product:	15.00	15.00

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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751450 - Manage and Direct Outside Counsel Services - Materials Recovery and Refuse Transfer (SMaRT)</b>		
Product: A Contract Administered		
Costs:	\$9,122	\$9,319
Products:	1	1
Work Hours:	15	15
Product Cost:	\$9,122.13	\$9,318.68
Work Hours/Product:	15.00	15.00
<b>Activity 751460 - Manage and Direct Outside Counsel Services - Below Market Rate Housing</b>		
Product: A Contract Administered		
Costs:	\$6,761	\$6,867
Products:	1	1
Work Hours:	5	5
Product Cost:	\$6,760.89	\$6,867.26
Work Hours/Product:	5.00	5.00
<b>Totals for Service Delivery Plan 75104 - Provide Representation In Litigation and Administrative Matters</b>		
<b>Costs:</b>	<b>\$846,705</b>	<b>\$652,907</b>
<b>Hours:</b>	<b>1,715</b>	<b>1,715</b>

**City of Sunnyvale**  
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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75108 - Management and Support Services**

Provide management and support services for the Office of the City Attorney. Attend programs consistent with the State requirements for continuing legal education and review new court cases, statutes and other legal materials to keep abreast of developments in municipal law and specialized areas within municipal law.

**Notes**

**City of Sunnyvale**  
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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75108 - Management and Support Services**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751210, 751211, 751212 - Continuing Legal Education for Office of the City Attorney</b>		
Product: A Work Hour		
Costs:	\$25,816	\$28,391
Products:	200	200
Work Hours:	200	200
Product Cost:	\$129.08	\$141.96
Work Hours/Product:	1.00	1.00
<b>Activity 751220 - Provide Administration, Budget Review, and Goal Development for Office of the City Attorney</b>		
Product: A Work Hour		
Costs:	\$28,798	\$31,638
Products:	225	225
Work Hours:	225	225
Product Cost:	\$127.99	\$140.61
Work Hours/Product:	1.00	1.00
<b>Activity 751230 - Participate In City-Wide Management and Administration</b>		
Product: An Attendance/Participation In City-Wide Management Meeting or Task		
Costs:	\$19,783	\$22,546
Products:	50	50
Work Hours:	130	130
Product Cost:	\$395.66	\$450.91
Work Hours/Product:	2.60	2.60

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**Program 751 - Comprehensive Legal Services**

**Service Delivery Plan 75108 - Management and Support Services**

	<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Activity 751240, 751241, 751242 - Provide General Clerical Support to City Attorney's Office</b>		
Product: A Work Hour		
Costs:	\$252,164	\$258,942
Products:	3,600	3,600
Work Hours:	3,600	3,600
Product Cost:	\$70.05	\$71.93
Work Hours/Product:	1.00	1.00
<b>Totals for Service Delivery Plan 75108 - Management and Support Services</b>		
<b>Costs:</b>	<b>\$326,561</b>	<b>\$341,517</b>
<b>Hours:</b>	<b>4,155</b>	<b>4,155</b>

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**Program 751 - Comprehensive Legal Services**

		<b>2006/2007 Adopted</b>	<b>2007/2008 Current</b>
<b>Totals for Program 751</b>	<b>Costs:</b>	<b>\$1,776,572</b>	<b>\$1,652,581</b>
	<b>Hours:</b>	<b>10,700</b>	<b>10,700</b>

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